

**AN ORDINANCE AWARDING A NON-EXCLUSIVE
FRANCHISE FOR A CABLE COMMUNICATION SYSTEM**

WHEREAS, it has been reported to this Board that the Towns of LaCrosse, Wanatah, and Westville, Indiana, have entered into contracts with Oak Cable Systems of Indiana, Inc., awarding said corporation a non-exclusive franchise to operate a cable communications system in said Towns; and

WHEREAS, it is deemed by the Board to be in the best interests of this County to grant Oak Cable Systems of Indiana, Inc., a non-exclusive franchise to extend its cable communication system in this County.

NOW, THEREFORE, BE IT ORDAINED by this Board as follows:

SECTION I. The County of LaPorte, Indiana, hereby grants a non-exclusive franchise to Oak Cable Systems of Indiana, Inc., to provide cable television service utilizing its facilities and system to the residents of the County of LaPorte, Indiana.

SECTION II. Pursuant to this grant, said franchise shall not provide this County any of the following: separate office facilities, separate studio, separate master telecommunications center, or separate access channels.

SECTION III. The rate structure to be charged by Oak Cable Systems of Indiana, Inc., to its customers in the franchise area shall be the same as those charged in the adjacent town that the rural system is attached to.

SECTION IV. The franchise area shall be for the present territorial limits of the County of LaPorte, Indiana, together with any areas acquired through future annexations.

SECTION V. The term of this franchise shall be for a period commencing upon the effective date of this ordinance and ending fifteen (15) years from this date. Renewal or extension of this franchise shall be granted upon approval of this Board in the manner set forth in accordance with Section 626 of the Federal Cable Communications Policy Act of 1984.

SECTION VI. In consideration of granting of this franchise, the franchisee shall pay to the County of LaPorte, Indiana, a franchise fee of three percent (3%) of the annual gross revenues received from its customers in LaPorte County, outside any City or Town Limits, for all services provided within the franchise area described herein. Franchise fees will be paid to LaPorte County, Indiana, on a quarterly basis and shall be paid within 30 days after the quarter ends.

SECTION VII. This grant is conditioned upon Oak Cable Systems of Indiana, Inc.

A. Complying with all orders, requests, policies, and procedures of the LaPorte County Highway Department and the LaPorte County Engineer regarding construction, reconstruction, maintenance, excavation, placement of facilities, and submission of preliminary or as-built plans for any and all activity of the franchisee with any right-of-way over which LaPorte County, Indiana, has jurisdiction.

B. The execution upon request by the franchisee of any performance or maintenance bonds required by LaPorte County through its Highway Department or County Engineer.

C. The franchisee agrees to hold LaPorte County, Indiana, its Board of Commissioners, Highway Department, County Engineer, and all LaPorte County employees harmless from and indemnify them from any damages arising out of any negligent conduct arising on the part of the franchisee within rights-of-way over which LaPorte County, Indiana, has jurisdiction.

INTRODUCED AND ADOPTED BY BOARD OF COMMISSIONERS OF LAPORTE COUNTY, INDIANA, this 5th day of February, 1990.

**BOARD OF COMMISSIONERS
LAPORTE COUNTY, INDIANA**

Michael T. Quinn

Michael T. Quinn, President

Norman E. Patis

Norman E. Patis

Merle Bannwart

Merle Bannwart

ATTEST:

Betty J. Shail

Auditor Betty J. Shail

Please publish two (2) times in the Michigan City News-Dispatch and LaPorte Herald-Argus on Tuesday, February 13, 1990 and Tuesday, February 20, 1990.